

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RAYMOND ORRAND, *et al.*,

Plaintiffs,

v.

Civil Action 2:11-cv-00125

Judge Edmund A. Sargus

Magistrate Judge E. A. Preston Deavers

ROCK DRILLERS, INC.,

Defendant.

ORDER

This matter is before the Court for consideration of the July 5, 2011 Report and Recommendation of the Magistrate Judge. (ECF No. 17.) The Magistrate Judge recommended that the Court grant Plaintiff's Amended Motion for Default Judgment.

The Report and Recommendation of the Magistrate Judge specifically advises parties that the failure to object to the Report and Recommendation within fourteen days results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (Report & Recommendation 2-3, ECF No. 17.) The time period for filing objections to the Report and Recommendation has expired. No party has objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections has expired,

the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge.


Accordingly, Plaintiffs' Amended Motion for Default Judgment (ECF No. 16) is **GRANTED** and the Clerk is **DIRECTED** to **ENTER JUDGMENT** in favor of Plaintiffs Raymond Orrand, *et al.*, and against Defendant Rock Drillers, Inc., as follows:

1. Interest from an audit performed on August 19, 2010 in the amount of \$727.16 calculated to February 15, 2011;
2. Statutory interest in the amount of \$727.16 calculated to February 15, 2011;
3. Court costs in the amount of \$350.00.

In light of this Order, Plaintiffs' original Motion for Default Judgment (ECF No. 13) is **DENIED** as moot.

IT IS SO ORDERED.

8-5-2011
DATED



EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE